

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

Richard B. Robins, Jr.
Chairman

Lee G. Anderson
Vice Chairman

800 North State Street, Suite 201
Dover, Delaware 19901-3910

Tel: 302-674-2331
Toll Free: 877-446-2362
FAX: 302-674-5399
www.mafmc.org

Christopher M. Moore, Ph.D.
Executive Director

April 25, 2011

Dr. Jean McGovern
OOOI Program Director
National Science Foundation
4201 Wilson Boulevard, Ste 725
Arlington, VA 22230

Dear Dr. McGovern:

The Mid-Atlantic Fishery Management Council (Council) would like to request an extension of the comment period for the Pioneer Array Moorings - Ocean Observatories Initiative (OOI). We received your April 8 letter announcing the 45-day comment period and its closure on May 27, 2011. However, we note that you will be holding a public meeting on June 7 at the University of Rhode Island after the end of the public comment period.

As such, we would like to offer you the opportunity to hold a similar meeting at our next Council meeting scheduled for June 14 to 16 in Port Jefferson, New York. While we briefly addressed the Pioneer Array at our Council meeting in Annapolis, we did not have sufficient time to notice the public and as a result had very little public input. An extension of the comment period until after the next Council meeting will also allow the Council to finalize its comments.

Thank you for your consideration of a public meeting and our request for an extension of the comment period. Please do not hesitate to contact me or Dr. Tom Hoff of my staff if you have any questions.

Sincerely,



Christopher M. Moore Ph.D.
Executive Director

cc: Anderson, Hoff, Kray, Robins

Hoff, Thomas B.

From: Susan Banahan <sBanahan@oceanleadership.org>
Sent: Saturday, May 14, 2011 10:51 AM
To: Hoff, Thomas B.
Cc: Jean McGovern; R L. spaulding; Susan Banahan
Subject: Monthly Update from Pioneer Array

Sent on behalf of Jean McGovern, Program Director, Ocean Observatories Initiative, National Science Foundation

Hi to all Pioneer Array Email List Participants,

Thanks so much for choosing to participate as an email recipient to our monthly update. The most up-to-date news for the Pioneer Array is as follows:

1. Public Comment Period for Micro-siting of the Pioneer Array closes on May 27, 2011. Here is the April 8th letter with the information. The public input meeting is scheduled for June 7th, 5:30 – 7:30 at the University of Rhode Island Coastal Institute. Please see the details below.

<http://www.oceanleadership.org/wp-content/uploads/2010/10/REVISED-PIONEER-ARRAY-DESCRIPTION.pdf>

2. The OOI project team updated the website with Frequently Asked Question revisions based on emails and phone calls we are receiving. The website for FAQs is as follows:

[http://www.oceanobservatories.org/wp-content/uploads/2011/04/Final Pioneer Array FAQ Package Update1 2011-05-12 ver 0-02.pdf](http://www.oceanobservatories.org/wp-content/uploads/2011/04/Final_Pioneer_Array_FAQ_Package_Update1_2011-05-12_ver_0-02.pdf)

3. Tests

Preparations for the test mooring deployments are in progress. For the latest updates check the following weblink:

<http://www.oceanobservatories.org/2011/pioneer-array-at-sea-test-of-buoys-now-scheduled-for-september/>

4. Glider contract awarded – Teledyne Webb Research in East Falmouth, MA was awarded the coastal glider contract. Check the details at:

<http://www.oceanobservatories.org/2011/glider-contract-awarded-to-teledyne-webb-research/>

5. Science Day Preparations – A science outreach event is being planned for late September. We are working the final place, time and date details and will send an email out to all. The “hold the date” looks like September 17th.

Enjoy the Spring and I hope to see you at the June 7th meeting.

Sincerely,

Jean McGovern
Program Director
Ocean Observatories Initiative

Pioneer Array Micro-siting Public Input Process Frequently Asked Questions

Updated May 12, 2011

The National Science Foundation (NSF) has given notice of the Public Input Process for the Micro-siting of the Pioneer Array Moorings and Public Meeting for the Ocean Observatories Initiative (OOI) Pioneer Array. In an effort to keep all stakeholders informed on the most current information on this process, the program has compiled answers to the following Frequently Asked Questions (FAQs). For additional information and to view the NSF communication announcing the start of the process as well as a public comment form please continue to visit the NSF Compliance and Micro-siting section of the OOI website.

When did the micro-siting public comment period begin?

NSF in an April 8, 2011 letter gave notice of a 45-day written comment period, commencing on Tuesday, April 12, 2011, during which the public is invited to review and provide written comments on the revised micro-siting plan for the Pioneer Array.

What happens after the public comment period ends?

Following the close of the public comment period on Friday, May 27, 2011, NSF will hold a public meeting to report on written comments submitted during the public comment period.

When and where will the public meeting be held?

The public meeting will be held on Tuesday, June 7, 2011, at 5:30-7:30 p.m., at the University of Rhode Island, Narragansett Bay Campus, Coastal Institute on Narragansett Bay in Hazard A and Hazard B Meeting Rooms.

How does a member of the public submit comments during the Public Comment Period?

NSF has provided two methods to transmit written comments. A Public Comment Form can be emailed to Jean McGovern at NSF (JMCGOVER@nsf.gov) or mailed to the NSF at the address provided on the form. Click here to access a [Public Comment Form](#).

How did this Micro-siting process begin and how has the public participated to date?

As discussed in the Final Site Specific Environmental Assessment (SSEA), the National Science Foundation (NSF) has initiated a "micro-siting process" designed to allow the public to provide input into the siting of the moorings for the Pioneer Array prior to a final siting determination being made. NSF and the Ocean Observatories Initiative (OOI) Project Office have received input into this process through several public meetings, project development and science collaborations.

What is the purpose of the OOI program?

Oceanographic research has long relied on research vessel cruises, or expeditions, as the predominant method of taking direct measurements of the ocean environment. Remote sensing, the use of satellites and other wireless technologies, has greatly advanced abilities to measure

ocean surface characteristics over extended periods of time. A major advancement in oceanographic research methods is the ability to make sustained, long-term and adaptive measurements from the surface to the bottom of the ocean. Ocean observatories are now being deployed to further this goal. Building upon recent technology advances and lessons learned from prototype ocean observatories, OOI is an interactive, globally distributed and integrated infrastructure that will be the backbone for the next generation of ocean sensors, resulting in complex ocean studies that are presently unachievable.

What is included in the Pioneer Array?

The Pioneer Array will have two lines of stand-alone moorings running north-south across the continental shelf. Moorings would provide locally generated power to seafloor and platform instruments and sensors and use satellite and other wireless technologies to link to shore and the Internet. The western (downstream) line will consist of surface moorings, wire-following profiler moorings with a surface expression, and surface-piercing profiler moorings with intermittent surface expressions. The eastern (upstream) line will consist of wire-following profiler moorings with small surface expressions. Gliders and Autonomous Underwater Vehicles (AUVs) would run missions in the vicinity of the moored array. The information gleaned from the Pioneer Array will include sea temperature, winds, wave height and currents. The Pioneer Array will contain: 10 moorings located at 7 sites; 3 AUVs and 6 gliders.

What is the current schedule for the test moorings?

The OOI program will conduct a test of three buoys for the Pioneer Array this fall. Deployment for these tests is currently scheduled for Sept. 22, 2011.

Does the science still work given revisions to the micro-siting plan?

The revised micro-siting plan does meet the science/operational requirements for the Pioneer Array.

Can moorings be moved within the grey zone?

Yes, the moorings can be moved within the grey zone, provided that the science/operational requirements for the Pioneer Array continue to be met and additional input can be resolved with the input received to date.

Why do some moorings have both subsurface and surface components at 52 fathoms?

Both surface and subsurface moorings are used at some locations to achieve the OOI science goals of observing from the air/sea interface to the sea floor with high vertical resolution. This is difficult to achieve with a single mooring type.

A surface mooring includes a relatively large buoy, which creates a platform for mounting atmospheric sensors and ocean surface sensors, as well as housing for equipment for power generation data recording, and two-way communications. Surface moorings provide visibility to navigation equivalent to that of a guard buoy (~10 ft buoy tower, radar reflector, marine lantern, active radar pinger). A subsurface mooring provides a taut vertical line allowing a sensor

package to sample throughout the water column with high vertical resolution. Some subsurface moorings in the Pioneer Array actually have a small float at the surface, but it is not large enough to carry instrumentation that the surface mooring can support, and is not as visible to navigation as the surface mooring.

How far apart are the two end moorings from the upstream moorings?

In the revised micro-siting plan, the two end moorings are about 4.0 nm from the upstream moorings. The distance is from the edges of the buffer zones.

How is the micro-siting public comment process related to the Site-specific Environmental Assessment/National Environmental Policy Act (SSEA/NEPA) process?

The micro-siting process came out of the SSEA/NEPA process. Although the NEPA process is now completed, the micro-siting process allows the public to have another opportunity to provide input into the final siting of the Pioneer Array within the area already analyzed in the SSEA.

Will NSF have a supplemental Final SSEA that addresses comments on socioeconomic impacts?

The socioeconomic impacts analysis was conducted in response to comments made on the Draft SSEA. The results of that analysis confirmed the findings in the Draft SSEA, and no new information was brought to light by the socioeconomic impacts analysis. Therefore, there is no further need to provide an additional NEPA process.

Will the SSEA public comments and responses be published?

NSF did not receive any public comments between the time of the publication of the Final SSEA and the issuance of the Finding of No Significant Impact/Decision Document authorizing the installation and operation of the OOI as described in the SSEA.

During the public meetings, concerns were expressed regarding whether NSF intends to regulate fishing?

NSF stated both orally (at the public meetings) and in writing (in the Finding of No Significant Impacts and in the recent invitation letter to the June 7, 2011 public meeting) that it has no interest in seeing fishing areas closed by deployment of the OOI. NSF has reiterated that it does not have any legal authority to regulate fishing. NSF's mission is to fund cutting edge science and technology; it is not a regulatory agency.

How does NSF plan to address issues involving gear entanglement?

NSF will follow traditional maritime/admiralty law and ensure that notice to mariners of the locations of the mooring buoys is provided. In response to concerns raised about gear entanglement, NSF plans to take the extra steps of putting lights and other notification devices on the mooring buoys and installing guard buoys near the mooring buoys to provide additional notice to mariners of areas to avoid or exercise caution. If gear becomes entangled once the

operations phase of the Pioneer Array is initiated, mariners should contact the U.S. Coast Guard (USCG) if a safety issue exists, and, if a mooring buoy is damaged, a telephone number of the OOI Field Operations Manager will be provided.

What have you done to ensure safety and/or make known the presence of the Pioneer Array buoys?

In order to ensure safety and make known the presence of the Pioneer Array buoys the program will follow all U.S. Coast Guard (USCG) Private Aids to Navigation (PATON) regulations and recommendations for moorings, including the following:

- Reflective panel and designation letter on hull
- USCG approved lighting (strobed marine lantern)
- Passive Radar reflector (on all buoys)
- Contact information on buoy hull
- Inclusion on the Notice to Mariners, Local Notice to Mariners, and Light List,
- Location marked on NOAA digital charts

In addition, OOI will also provide:

- Active radar pinger (on some buoys)
- Recommended Area to be Avoided (voluntary buffer zone of 0.5 nm radius around each mooring site)
- Guard buoys to delineate Area to be Avoided around Pioneer Array surface and subsurface mooring sites.
- Boat Trax (broadcasts buoy positions to nearby, receiver-equipped boats)

Will there be a gear entanglement fund associated with OOI moorings?

No, there will be no gear entanglement fund. As stated above, NSF and the OOI will follow traditional maritime/admiralty law, consistent with the practice of other federal agencies that maintain persistent moored arrays in federal and international waters. The NSF and OOI Project will work with the USCG to ensure that OOI surface moorings meet or exceed the requirements of USCG permitted PATONs. The positions of OOI moorings will be available to the public through inclusion in USCG Local Notice to Mariners (LNM), Light Lists, and marked on NOAA digital navigational charts. Surface buoys will be marked per regional USCG requirements, with all required lights and markings. OOI will work with USCG to develop guidance (to appear in LNM and/or chart annotations) regarding the suggested distance from Pioneer moorings to prevent gear entanglement (as suggested "areas to be avoided").

If fishing gear becomes entangled or a ship strike occurs who should be contacted?

The U.S. Coast Guard should be contacted if a safety issue results from fishing gear becoming entangled or a ship strike occurs.

If OOI mooring equipment and instrumentation is found damaged, drifting, or off station (including gliders, AUVs) who should be contacted?

The OOI Field Operations Manager will be the point of contact. Contact information will be provided to the USCG and marked on OOI mooring buoys, AUVs, and gliders in advance of deployment.

Hoff, Thomas B.

From: Moore, Christopher
Sent: Monday, May 16, 2011 11:54 AM
To: Hoff, Thomas B.
Subject: FW: Pioneer Array Science Day

From: McGovern, Jean M. [mailto:JMCGOVER@nsf.gov]
Sent: Friday, May 13, 2011 6:38 PM
To: Bonnie Spinazzola
Cc: pparker@cfrfoundation.org; Gary Mataronas; Bruno.Freitas@mail.house.gov; cd0dge@comcast.net; Daniel_Diorio@scottbrown.senate.gov; Mira.Resnick@mail.house.gov; Nicholas_Vincelette@whitehouse.senate.gov; Nick_Vincelette@whitehouse.senate.gov; Rachael.Bornstein@mail.house.gov; Russell.Yavner@mail.house.gov; Anna-Marie Laura; Bill Palombo; Bonnie Brady; Bonnie Spinazzola; Bro Cote; Capt. Rick Bellavance; Chris Brown; Moore, Christopher; Dave Preeble; David Spencer; Fred Mattera; Greg Mataronas; DiDomenico, Gregory; Heidi Henninger; Karena Neubauer; Kelly Knutsen; Konschnik, Kate (Whitehouse); Lanny Delinger; Mike Marchetti; Nancy Langrall; Nick Jenkins - personal; Norbert Stamps; Howard, Paul; Rod Sykes; Avila, Rodney; Stephen Welch; Ted Platz
Subject: RE: Pioneer Array Science Day

Dear Bonnie,

Thanks so much for your response. The project scientists and scientists from institutions throughout the region are working diligently to put together their talks in order to meet a request we heard at our public input meeting about the need for further understanding of the oceanographic research that the Pioneer Array will enable. There will be multiple institutions and a variety of disciplines of science involved in the event from the northeast region. This format has been successful across other regions in this country and we will work with integrity to develop an outreach day that responds to the public input we heard and enable collaboration.

The benefit of having the science day in September is that we would have another chance to have a focused update on the test moorings that are planned to be deployed in late September. The plan is to have a separate session about the test mooring deployment with a Q&A period. At this time we are working on booking the Whaling Museum in New Bedford on September 17th from 10-3pm. Final details will be emailed to our list and we will advertise in local publications.

We look forward to your continued participation in the micro-siting meeting on June 7, 2011. The letter emailed out on April 8th provides a revised configuration that considered all of the public input comments to date. I provide the email link below. While I understand that it is desirable for members of the fishing community to meet separately with NSF, scientists and the project team to discuss micro-siting, please note that all such meetings must be open to the general public pursuant to federal statutory provisions.

We invite you to bring your charts and provide your comments. If the "events" you refer in your email regard entanglement, I am happy to discuss that at the June 7th meeting. Please provide a written comment to me that elaborates on the events and I will prepare a detailed response. The Coast Guard has accepted my invitation to the June 7th meeting and will send a representative. I have received excellent federal/state and institutional cooperation from the northeast region. I invited the US Army Corps of Engineers representative we had at our last meeting and I will follow up with him next week to see if he can attend. The comment period closes on Friday, May 27th and I look forward to receiving comments and attending the meeting with researched responses.

<http://www.oceanleadership.org/wp-content/uploads/2010/10/REVISED-PIONEER-ARRAY-DESCRIPTION.pdf>

I hope I have addressed all of your questions, in the event that this is not the case, please see the Frequently Asked Questions (FAQs) we posted yesterday. I am sending out the monthly email to notify our mailing list of these updated FAQs.

http://www.oceanobservatories.org/wp-content/uploads/2011/04/Final_Pioneer_Array_FAQ_Package_Update1_2011-05-12_ver_0-02.pdf

Please do not hesitate to call or email me if you have any questions.

Sincerely,

Jean McGovern
Program Director
Ocean Observatories Initiative
National Science Foundation
703.292.7591

From: bhs1206@gmail.com [mailto:bhs1206@gmail.com] **On Behalf Of** Bonnie Spinazzola

Sent: Friday, May 13, 2011 4:23 PM

To: McGovern, Jean M.

Cc: pparker@cfrfoundation.org; Gary Mataronas; Bruno.Freitas@mail.house.gov; cd0dge@comcast.net; Daniel_Diorio@scottbrown.senate.gov; Mira.Resnick@mail.house.gov; Nicholas_Vincelette@whitehouse.senate.gov; Nick_Vincelette@whitehouse.senate.gov; Rachael.Bornstein@mail.house.gov; Russell.Yavner@mail.house.gov; Anna-Marie Laura; Bill Palombo; Bonnie Brady; Bonnie Spinazzola; Bro Cote; Capt. Rick Bellavance; Chris Brown; Chris Moore, Exec. Dir.; Dave Preeble; David Spencer; Fred Mattera; Greg Mataronas; Gregory DiDomenico; Heidi Henninger; Karena Neubauer; Kelly Knutsen; Konschnik, Kate (Whitehouse); Lanny Delinger; Mike Marchetti; Nancy Langrall; Nick Jenkins - personal; Norbert Stamps; Paul Howard; Rod Sykes; Rodney Avila; Stephen Welch; Ted Platz

Subject: Re: Pioneer Array Science Day

Dear Jean,

I appreciate the consideration shown to "us," the fishing community, relative to your "Science Outreach Day" for the community, prior to deploying your test moorings. I think your idea is a fine one, educating the public, and especially the younger generation about the wonders of the ocean and the amazing events and phenomena that take place under the sea.

I am bewildered, however, that your agency is planning yet another "dog and pony show" surrounding this project, while at the same time, avoiding all responsible means, including simple communication, to hear, listen, understand, and collaborate with stakeholders. No, these people are not the "general public," nor are they the "younger generation," these stakeholders are individuals who support their families by working in the same area in which the NSF has decided to place the array.

Certainly, you are already aware that this project, including the decisions relative to siting, has been ongoing for at least six years; how regrettable that communication could not have commenced at that time instead of waiting until all decisions have been made and comments deemed meaningless (at least in the present forum).

The fishing industry, and others, have reached out to work with your team to place the moorings in areas

that are meaningful for the NSF's project, and less of a hindrance to their fishing operations. They have offered to sit at the table, with oceanographic charts unfurled, and sleeves rolled up, to offer what I believe, and your scientists have noted, is valuable information to your project. The fishermen have asked of the NSF, assurances of cooperation and good faith agreements that they would not be a casualty of the project, and the "first thing to go," should any event occur. While you indicated the NSF could not close down the fishery and the intent of the project was not aimed at removing fishermen, you could not, and would not come close to an honest response of collaboration with the fishing industry to discuss any event and cooperatively determine the best resolution.

Therefore, while I commend your efforts toward community awareness, I feel the critical communication and awareness should be directed toward stakeholders. It is a shame that, at this venture, the NSF considers it more important, and is more interested in presenting the positive aspects of the Pioneer Array, while at the same time ignoring and playing-down the real issues that affect countless individuals and scores of families.

In response to your question, the date and place of your event is unimportant to the fishing industry, however, we are still willing at any time to sit down with your scientists and your team to work on developing our present immobile relationship into one of collaboration and cooperation.

Regards,

Bonnie

Bonnie Spinazzola, Ex. Dir.

Atlantic Offshore Lobstermen's Assn.

(603) 206-5468

(603) 498-3032 - cell

bonnie@offshorelobster.org

On Tue, May 10, 2011 at 3:53 PM, McGovern, Jean M. <JMCGOVER@nsf.gov> wrote:

Hi Peg, Gary and Bonnie,

NSF and the OOI Project are working to schedule a Pioneer Array Science Outreach Day for the community in September before we deploy our test moorings. I am writing to you because I would like to share with you some candidate times and a candidate location for the event. I am looking for some local feedback about the date, place and time. The planning team is looking at the Whaling Museum in New Bedford on a Saturday (looking like Sept 10 or 17, with the 17th being preferable). The event will have some science talks about Pioneer and allow children and the public to have hands on time with gliders or AUVs. One of the talks will have a focus on the test mooring and allow for Q&A.

Let me know if you have any advice on the proposed Pioneer Array Science Day.

Thanks,

Jean McGovern

Program Director

Ocean Observatories Initiative

National Science Foundation

703.292.7591